



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB4002

Introduced 1/18/2012, by Rep. Lisa M. Dugan

SYNOPSIS AS INTRODUCED:

35 ILCS 200/18-185
105 ILCS 5/17-2.4a new

Amends the School Code. Provides that the school board of any district with a population of less than 500,000 that participates in a joint agreement for an area vocational education center may levy an annual property tax not to exceed 0.04%. Provides that the rate may be increased upon referendum approval to 0.08% in each eligible district. Provides that the authority to levy the tax expires 4 years after the effective date of the amendatory Act. Contains provisions concerning notice and public hearings. Amends the Property Tax Extension Limitation Law in the Property Tax Code to exempt those extensions from the definition of "aggregate extension". Effective immediately.

LRB097 16763 HLH 61942 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

1 AN ACT concerning revenue.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Property Tax Code is amended by changing
5 Section 18-185 as follows:

6 (35 ILCS 200/18-185)

7 Sec. 18-185. Short title; definitions. This Division 5 may
8 be cited as the Property Tax Extension Limitation Law. As used
9 in this Division 5:

10 "Consumer Price Index" means the Consumer Price Index for
11 All Urban Consumers for all items published by the United
12 States Department of Labor.

13 "Extension limitation" means (a) the lesser of 5% or the
14 percentage increase in the Consumer Price Index during the
15 12-month calendar year preceding the levy year or (b) the rate
16 of increase approved by voters under Section 18-205.

17 "Affected county" means a county of 3,000,000 or more
18 inhabitants or a county contiguous to a county of 3,000,000 or
19 more inhabitants.

20 "Taxing district" has the same meaning provided in Section
21 1-150, except as otherwise provided in this Section. For the
22 1991 through 1994 levy years only, "taxing district" includes
23 only each non-home rule taxing district having the majority of

1 its 1990 equalized assessed value within any county or counties
2 contiguous to a county with 3,000,000 or more inhabitants.
3 Beginning with the 1995 levy year, "taxing district" includes
4 only each non-home rule taxing district subject to this Law
5 before the 1995 levy year and each non-home rule taxing
6 district not subject to this Law before the 1995 levy year
7 having the majority of its 1994 equalized assessed value in an
8 affected county or counties. Beginning with the levy year in
9 which this Law becomes applicable to a taxing district as
10 provided in Section 18-213, "taxing district" also includes
11 those taxing districts made subject to this Law as provided in
12 Section 18-213.

13 "Aggregate extension" for taxing districts to which this
14 Law applied before the 1995 levy year means the annual
15 corporate extension for the taxing district and those special
16 purpose extensions that are made annually for the taxing
17 district, excluding special purpose extensions: (a) made for
18 the taxing district to pay interest or principal on general
19 obligation bonds that were approved by referendum; (b) made for
20 any taxing district to pay interest or principal on general
21 obligation bonds issued before October 1, 1991; (c) made for
22 any taxing district to pay interest or principal on bonds
23 issued to refund or continue to refund those bonds issued
24 before October 1, 1991; (d) made for any taxing district to pay
25 interest or principal on bonds issued to refund or continue to
26 refund bonds issued after October 1, 1991 that were approved by

1 referendum; (e) made for any taxing district to pay interest or
2 principal on revenue bonds issued before October 1, 1991 for
3 payment of which a property tax levy or the full faith and
4 credit of the unit of local government is pledged; however, a
5 tax for the payment of interest or principal on those bonds
6 shall be made only after the governing body of the unit of
7 local government finds that all other sources for payment are
8 insufficient to make those payments; (f) made for payments
9 under a building commission lease when the lease payments are
10 for the retirement of bonds issued by the commission before
11 October 1, 1991, to pay for the building project; (g) made for
12 payments due under installment contracts entered into before
13 October 1, 1991; (h) made for payments of principal and
14 interest on bonds issued under the Metropolitan Water
15 Reclamation District Act to finance construction projects
16 initiated before October 1, 1991; (i) made for payments of
17 principal and interest on limited bonds, as defined in Section
18 3 of the Local Government Debt Reform Act, in an amount not to
19 exceed the debt service extension base less the amount in items
20 (b), (c), (e), and (h) of this definition for non-referendum
21 obligations, except obligations initially issued pursuant to
22 referendum; (j) made for payments of principal and interest on
23 bonds issued under Section 15 of the Local Government Debt
24 Reform Act; (k) made by a school district that participates in
25 the Special Education District of Lake County, created by
26 special education joint agreement under Section 10-22.31 of the

1 School Code, for payment of the school district's share of the
2 amounts required to be contributed by the Special Education
3 District of Lake County to the Illinois Municipal Retirement
4 Fund under Article 7 of the Illinois Pension Code; the amount
5 of any extension under this item (k) shall be certified by the
6 school district to the county clerk; (l) made to fund expenses
7 of providing joint recreational programs for the handicapped
8 under Section 5-8 of the Park District Code or Section 11-95-14
9 of the Illinois Municipal Code; (m) made for temporary
10 relocation loan repayment purposes pursuant to Sections 2-3.77
11 and 17-2.2d of the School Code; (n) made for payment of
12 principal and interest on any bonds issued under the authority
13 of Section 17-2.2d of the School Code; (o) made for
14 contributions to a firefighter's pension fund created under
15 Article 4 of the Illinois Pension Code, to the extent of the
16 amount certified under item (5) of Section 4-134 of the
17 Illinois Pension Code; ~~and~~ (p) made for road purposes in the
18 first year after a township assumes the rights, powers, duties,
19 assets, property, liabilities, obligations, and
20 responsibilities of a road district abolished under the
21 provisions of Section 6-133 of the Illinois Highway Code; and
22 (q) made by a school district pursuant to the provisions of
23 Section 17-2.4a of the School Code.

24 "Aggregate extension" for the taxing districts to which
25 this Law did not apply before the 1995 levy year (except taxing
26 districts subject to this Law in accordance with Section

1 18-213) means the annual corporate extension for the taxing
2 district and those special purpose extensions that are made
3 annually for the taxing district, excluding special purpose
4 extensions: (a) made for the taxing district to pay interest or
5 principal on general obligation bonds that were approved by
6 referendum; (b) made for any taxing district to pay interest or
7 principal on general obligation bonds issued before March 1,
8 1995; (c) made for any taxing district to pay interest or
9 principal on bonds issued to refund or continue to refund those
10 bonds issued before March 1, 1995; (d) made for any taxing
11 district to pay interest or principal on bonds issued to refund
12 or continue to refund bonds issued after March 1, 1995 that
13 were approved by referendum; (e) made for any taxing district
14 to pay interest or principal on revenue bonds issued before
15 March 1, 1995 for payment of which a property tax levy or the
16 full faith and credit of the unit of local government is
17 pledged; however, a tax for the payment of interest or
18 principal on those bonds shall be made only after the governing
19 body of the unit of local government finds that all other
20 sources for payment are insufficient to make those payments;
21 (f) made for payments under a building commission lease when
22 the lease payments are for the retirement of bonds issued by
23 the commission before March 1, 1995 to pay for the building
24 project; (g) made for payments due under installment contracts
25 entered into before March 1, 1995; (h) made for payments of
26 principal and interest on bonds issued under the Metropolitan

1 Water Reclamation District Act to finance construction
2 projects initiated before October 1, 1991; (h-4) made for
3 stormwater management purposes by the Metropolitan Water
4 Reclamation District of Greater Chicago under Section 12 of the
5 Metropolitan Water Reclamation District Act; (i) made for
6 payments of principal and interest on limited bonds, as defined
7 in Section 3 of the Local Government Debt Reform Act, in an
8 amount not to exceed the debt service extension base less the
9 amount in items (b), (c), and (e) of this definition for
10 non-referendum obligations, except obligations initially
11 issued pursuant to referendum and bonds described in subsection
12 (h) of this definition; (j) made for payments of principal and
13 interest on bonds issued under Section 15 of the Local
14 Government Debt Reform Act; (k) made for payments of principal
15 and interest on bonds authorized by Public Act 88-503 and
16 issued under Section 20a of the Chicago Park District Act for
17 aquarium or museum projects; (l) made for payments of principal
18 and interest on bonds authorized by Public Act 87-1191 or
19 93-601 and (i) issued pursuant to Section 21.2 of the Cook
20 County Forest Preserve District Act, (ii) issued under Section
21 42 of the Cook County Forest Preserve District Act for
22 zoological park projects, or (iii) issued under Section 44.1 of
23 the Cook County Forest Preserve District Act for botanical
24 gardens projects; (m) made pursuant to Section 34-53.5 of the
25 School Code, whether levied annually or not; (n) made to fund
26 expenses of providing joint recreational programs for the

1 handicapped under Section 5-8 of the Park District Code or
2 Section 11-95-14 of the Illinois Municipal Code; (o) made by
3 the Chicago Park District for recreational programs for the
4 handicapped under subsection (c) of Section 7.06 of the Chicago
5 Park District Act; (p) made for contributions to a
6 firefighter's pension fund created under Article 4 of the
7 Illinois Pension Code, to the extent of the amount certified
8 under item (5) of Section 4-134 of the Illinois Pension Code;
9 ~~and~~ (q) made by Ford Heights School District 169 under Section
10 17-9.02 of the School Code; and (r) made by a school district
11 pursuant to the provisions of Section 17-2.4a of the School
12 Code.

13 "Aggregate extension" for all taxing districts to which
14 this Law applies in accordance with Section 18-213, except for
15 those taxing districts subject to paragraph (2) of subsection
16 (e) of Section 18-213, means the annual corporate extension for
17 the taxing district and those special purpose extensions that
18 are made annually for the taxing district, excluding special
19 purpose extensions: (a) made for the taxing district to pay
20 interest or principal on general obligation bonds that were
21 approved by referendum; (b) made for any taxing district to pay
22 interest or principal on general obligation bonds issued before
23 the date on which the referendum making this Law applicable to
24 the taxing district is held; (c) made for any taxing district
25 to pay interest or principal on bonds issued to refund or
26 continue to refund those bonds issued before the date on which

1 the referendum making this Law applicable to the taxing
2 district is held; (d) made for any taxing district to pay
3 interest or principal on bonds issued to refund or continue to
4 refund bonds issued after the date on which the referendum
5 making this Law applicable to the taxing district is held if
6 the bonds were approved by referendum after the date on which
7 the referendum making this Law applicable to the taxing
8 district is held; (e) made for any taxing district to pay
9 interest or principal on revenue bonds issued before the date
10 on which the referendum making this Law applicable to the
11 taxing district is held for payment of which a property tax
12 levy or the full faith and credit of the unit of local
13 government is pledged; however, a tax for the payment of
14 interest or principal on those bonds shall be made only after
15 the governing body of the unit of local government finds that
16 all other sources for payment are insufficient to make those
17 payments; (f) made for payments under a building commission
18 lease when the lease payments are for the retirement of bonds
19 issued by the commission before the date on which the
20 referendum making this Law applicable to the taxing district is
21 held to pay for the building project; (g) made for payments due
22 under installment contracts entered into before the date on
23 which the referendum making this Law applicable to the taxing
24 district is held; (h) made for payments of principal and
25 interest on limited bonds, as defined in Section 3 of the Local
26 Government Debt Reform Act, in an amount not to exceed the debt

1 service extension base less the amount in items (b), (c), and
2 (e) of this definition for non-referendum obligations, except
3 obligations initially issued pursuant to referendum; (i) made
4 for payments of principal and interest on bonds issued under
5 Section 15 of the Local Government Debt Reform Act; (j) made
6 for a qualified airport authority to pay interest or principal
7 on general obligation bonds issued for the purpose of paying
8 obligations due under, or financing airport facilities
9 required to be acquired, constructed, installed or equipped
10 pursuant to, contracts entered into before March 1, 1996 (but
11 not including any amendments to such a contract taking effect
12 on or after that date); (k) made to fund expenses of providing
13 joint recreational programs for the handicapped under Section
14 5-8 of the Park District Code or Section 11-95-14 of the
15 Illinois Municipal Code; (l) made for contributions to a
16 firefighter's pension fund created under Article 4 of the
17 Illinois Pension Code, to the extent of the amount certified
18 under item (5) of Section 4-134 of the Illinois Pension Code;
19 ~~and~~ (m) made for the taxing district to pay interest or
20 principal on general obligation bonds issued pursuant to
21 Section 19-3.10 of the School Code; and (n) made by a school
22 district pursuant to the provisions of Section 17-2.4a of the
23 School Code.

24 "Aggregate extension" for all taxing districts to which
25 this Law applies in accordance with paragraph (2) of subsection
26 (e) of Section 18-213 means the annual corporate extension for

1 the taxing district and those special purpose extensions that
2 are made annually for the taxing district, excluding special
3 purpose extensions: (a) made for the taxing district to pay
4 interest or principal on general obligation bonds that were
5 approved by referendum; (b) made for any taxing district to pay
6 interest or principal on general obligation bonds issued before
7 the effective date of this amendatory Act of 1997; (c) made for
8 any taxing district to pay interest or principal on bonds
9 issued to refund or continue to refund those bonds issued
10 before the effective date of this amendatory Act of 1997; (d)
11 made for any taxing district to pay interest or principal on
12 bonds issued to refund or continue to refund bonds issued after
13 the effective date of this amendatory Act of 1997 if the bonds
14 were approved by referendum after the effective date of this
15 amendatory Act of 1997; (e) made for any taxing district to pay
16 interest or principal on revenue bonds issued before the
17 effective date of this amendatory Act of 1997 for payment of
18 which a property tax levy or the full faith and credit of the
19 unit of local government is pledged; however, a tax for the
20 payment of interest or principal on those bonds shall be made
21 only after the governing body of the unit of local government
22 finds that all other sources for payment are insufficient to
23 make those payments; (f) made for payments under a building
24 commission lease when the lease payments are for the retirement
25 of bonds issued by the commission before the effective date of
26 this amendatory Act of 1997 to pay for the building project;

1 (g) made for payments due under installment contracts entered
2 into before the effective date of this amendatory Act of 1997;
3 (h) made for payments of principal and interest on limited
4 bonds, as defined in Section 3 of the Local Government Debt
5 Reform Act, in an amount not to exceed the debt service
6 extension base less the amount in items (b), (c), and (e) of
7 this definition for non-referendum obligations, except
8 obligations initially issued pursuant to referendum; (i) made
9 for payments of principal and interest on bonds issued under
10 Section 15 of the Local Government Debt Reform Act; (j) made
11 for a qualified airport authority to pay interest or principal
12 on general obligation bonds issued for the purpose of paying
13 obligations due under, or financing airport facilities
14 required to be acquired, constructed, installed or equipped
15 pursuant to, contracts entered into before March 1, 1996 (but
16 not including any amendments to such a contract taking effect
17 on or after that date); (k) made to fund expenses of providing
18 joint recreational programs for the handicapped under Section
19 5-8 of the Park District Code or Section 11-95-14 of the
20 Illinois Municipal Code; ~~and~~ (l) made for contributions to a
21 firefighter's pension fund created under Article 4 of the
22 Illinois Pension Code, to the extent of the amount certified
23 under item (5) of Section 4-134 of the Illinois Pension Code; i
24 and (m) made by a school district pursuant to the provisions of
25 Section 17-2.4a of the School Code.

26 "Debt service extension base" means an amount equal to that

1 portion of the extension for a taxing district for the 1994
2 levy year, or for those taxing districts subject to this Law in
3 accordance with Section 18-213, except for those subject to
4 paragraph (2) of subsection (e) of Section 18-213, for the levy
5 year in which the referendum making this Law applicable to the
6 taxing district is held, or for those taxing districts subject
7 to this Law in accordance with paragraph (2) of subsection (e)
8 of Section 18-213 for the 1996 levy year, constituting an
9 extension for payment of principal and interest on bonds issued
10 by the taxing district without referendum, but not including
11 excluded non-referendum bonds. For park districts (i) that were
12 first subject to this Law in 1991 or 1995 and (ii) whose
13 extension for the 1994 levy year for the payment of principal
14 and interest on bonds issued by the park district without
15 referendum (but not including excluded non-referendum bonds)
16 was less than 51% of the amount for the 1991 levy year
17 constituting an extension for payment of principal and interest
18 on bonds issued by the park district without referendum (but
19 not including excluded non-referendum bonds), "debt service
20 extension base" means an amount equal to that portion of the
21 extension for the 1991 levy year constituting an extension for
22 payment of principal and interest on bonds issued by the park
23 district without referendum (but not including excluded
24 non-referendum bonds). A debt service extension base
25 established or increased at any time pursuant to any provision
26 of this Law, except Section 18-212, shall be increased each

1 year commencing with the later of (i) the 2009 levy year or
2 (ii) the first levy year in which this Law becomes applicable
3 to the taxing district, by the lesser of 5% or the percentage
4 increase in the Consumer Price Index during the 12-month
5 calendar year preceding the levy year. The debt service
6 extension base may be established or increased as provided
7 under Section 18-212. "Excluded non-referendum bonds" means
8 (i) bonds authorized by Public Act 88-503 and issued under
9 Section 20a of the Chicago Park District Act for aquarium and
10 museum projects; (ii) bonds issued under Section 15 of the
11 Local Government Debt Reform Act; or (iii) refunding
12 obligations issued to refund or to continue to refund
13 obligations initially issued pursuant to referendum.

14 "Special purpose extensions" include, but are not limited
15 to, extensions for levies made on an annual basis for
16 unemployment and workers' compensation, self-insurance,
17 contributions to pension plans, and extensions made pursuant to
18 Section 6-601 of the Illinois Highway Code for a road
19 district's permanent road fund whether levied annually or not.
20 The extension for a special service area is not included in the
21 aggregate extension.

22 "Aggregate extension base" means the taxing district's
23 last preceding aggregate extension as adjusted under Sections
24 18-135, 18-215, and 18-230. An adjustment under Section 18-135
25 shall be made for the 2007 levy year and all subsequent levy
26 years whenever one or more counties within which a taxing

1 district is located (i) used estimated valuations or rates when
2 extending taxes in the taxing district for the last preceding
3 levy year that resulted in the over or under extension of
4 taxes, or (ii) increased or decreased the tax extension for the
5 last preceding levy year as required by Section 18-135(c).
6 Whenever an adjustment is required under Section 18-135, the
7 aggregate extension base of the taxing district shall be equal
8 to the amount that the aggregate extension of the taxing
9 district would have been for the last preceding levy year if
10 either or both (i) actual, rather than estimated, valuations or
11 rates had been used to calculate the extension of taxes for the
12 last levy year, or (ii) the tax extension for the last
13 preceding levy year had not been adjusted as required by
14 subsection (c) of Section 18-135.

15 "Levy year" has the same meaning as "year" under Section
16 1-155.

17 "New property" means (i) the assessed value, after final
18 board of review or board of appeals action, of new improvements
19 or additions to existing improvements on any parcel of real
20 property that increase the assessed value of that real property
21 during the levy year multiplied by the equalization factor
22 issued by the Department under Section 17-30, (ii) the assessed
23 value, after final board of review or board of appeals action,
24 of real property not exempt from real estate taxation, which
25 real property was exempt from real estate taxation for any
26 portion of the immediately preceding levy year, multiplied by

1 the equalization factor issued by the Department under Section
2 17-30, including the assessed value, upon final stabilization
3 of occupancy after new construction is complete, of any real
4 property located within the boundaries of an otherwise or
5 previously exempt military reservation that is intended for
6 residential use and owned by or leased to a private corporation
7 or other entity, and (iii) in counties that classify in
8 accordance with Section 4 of Article IX of the Illinois
9 Constitution, an incentive property's additional assessed
10 value resulting from a scheduled increase in the level of
11 assessment as applied to the first year final board of review
12 market value. In addition, the county clerk in a county
13 containing a population of 3,000,000 or more shall include in
14 the 1997 recovered tax increment value for any school district,
15 any recovered tax increment value that was applicable to the
16 1995 tax year calculations.

17 "Qualified airport authority" means an airport authority
18 organized under the Airport Authorities Act and located in a
19 county bordering on the State of Wisconsin and having a
20 population in excess of 200,000 and not greater than 500,000.

21 "Recovered tax increment value" means, except as otherwise
22 provided in this paragraph, the amount of the current year's
23 equalized assessed value, in the first year after a
24 municipality terminates the designation of an area as a
25 redevelopment project area previously established under the
26 Tax Increment Allocation Development Act in the Illinois

1 Municipal Code, previously established under the Industrial
2 Jobs Recovery Law in the Illinois Municipal Code, previously
3 established under the Economic Development Project Area Tax
4 Increment Act of 1995, or previously established under the
5 Economic Development Area Tax Increment Allocation Act, of each
6 taxable lot, block, tract, or parcel of real property in the
7 redevelopment project area over and above the initial equalized
8 assessed value of each property in the redevelopment project
9 area. For the taxes which are extended for the 1997 levy year,
10 the recovered tax increment value for a non-home rule taxing
11 district that first became subject to this Law for the 1995
12 levy year because a majority of its 1994 equalized assessed
13 value was in an affected county or counties shall be increased
14 if a municipality terminated the designation of an area in 1993
15 as a redevelopment project area previously established under
16 the Tax Increment Allocation Development Act in the Illinois
17 Municipal Code, previously established under the Industrial
18 Jobs Recovery Law in the Illinois Municipal Code, or previously
19 established under the Economic Development Area Tax Increment
20 Allocation Act, by an amount equal to the 1994 equalized
21 assessed value of each taxable lot, block, tract, or parcel of
22 real property in the redevelopment project area over and above
23 the initial equalized assessed value of each property in the
24 redevelopment project area. In the first year after a
25 municipality removes a taxable lot, block, tract, or parcel of
26 real property from a redevelopment project area established

1 under the Tax Increment Allocation Development Act in the
2 Illinois Municipal Code, the Industrial Jobs Recovery Law in
3 the Illinois Municipal Code, or the Economic Development Area
4 Tax Increment Allocation Act, "recovered tax increment value"
5 means the amount of the current year's equalized assessed value
6 of each taxable lot, block, tract, or parcel of real property
7 removed from the redevelopment project area over and above the
8 initial equalized assessed value of that real property before
9 removal from the redevelopment project area.

10 Except as otherwise provided in this Section, "limiting
11 rate" means a fraction the numerator of which is the last
12 preceding aggregate extension base times an amount equal to one
13 plus the extension limitation defined in this Section and the
14 denominator of which is the current year's equalized assessed
15 value of all real property in the territory under the
16 jurisdiction of the taxing district during the prior levy year.
17 For those taxing districts that reduced their aggregate
18 extension for the last preceding levy year, the highest
19 aggregate extension in any of the last 3 preceding levy years
20 shall be used for the purpose of computing the limiting rate.
21 The denominator shall not include new property or the recovered
22 tax increment value. If a new rate, a rate decrease, or a
23 limiting rate increase has been approved at an election held
24 after March 21, 2006, then (i) the otherwise applicable
25 limiting rate shall be increased by the amount of the new rate
26 or shall be reduced by the amount of the rate decrease, as the

1 case may be, or (ii) in the case of a limiting rate increase,
2 the limiting rate shall be equal to the rate set forth in the
3 proposition approved by the voters for each of the years
4 specified in the proposition, after which the limiting rate of
5 the taxing district shall be calculated as otherwise provided.

6 (Source: P.A. 96-501, eff. 8-14-09; 96-517, eff. 8-14-09;
7 96-1000, eff. 7-2-10; 96-1202, eff. 7-22-10; 97-611, eff.
8 1-1-12.)

9 Section 10. The School Code is amended by adding Section
10 17-2.4a as follows:

11 (105 ILCS 5/17-2.4a new)

12 Sec. 17-2.4a. Tax for area vocational education programs.

13 (a) The school board of any district participating in a
14 joint agreement for an area vocational education center,
15 pursuant to Section 10-22.20a of this Code or the
16 Intergovernmental Cooperation Act, and having a population of
17 less than 500,000 inhabitants may, by proper resolution, levy
18 an annual tax upon the value of the taxable property within its
19 territory, as equalized or assessed by the Department of
20 Revenue, for area vocational education purposes, including but
21 not limited to the purposes authorized by Section 10-22.20a, at
22 a rate of up to 0.04% for a period of 4 tax years following the
23 effective date of this amendatory Act of the 97th General
24 Assembly.

1 (b) Prior to the levy of taxes under this Section for the
2 first time, the school board of each district desiring to make
3 such a levy shall hold 2 public hearings regarding the proposed
4 levy at the vocational education center. Notice of the public
5 hearings shall be given by the school board by (i) posting the
6 notice at the last regularly scheduled meeting of the school
7 board to occur prior to the public hearing and (ii) publishing
8 notice of the public hearing in conformity with the Notice by
9 Publication Act. If there is no newspaper of general
10 circulation published within the school district and the school
11 district is located in more than one county, then notice shall
12 be published in a newspaper of general circulation published in
13 each county in which any part of the school district is
14 located. The notice shall appear not more than 14 days nor less
15 than 7 days prior to the date of the public hearing. The notice
16 shall not be placed in the portion of the newspaper where legal
17 notices and classified advertisements appear. The notice shall
18 appear before each public hearing.

19 (c) The tax rate limit specified in subsection (a) of this
20 Section may be increased to up to a maximum of 0.08% upon the
21 approval of a proposition submitted at a regularly scheduled
22 election. The proposition may be initiated by resolution and
23 shall be certified by the secretary of the school board to the
24 proper election authorities for submission in accordance with
25 the general election law. If a majority of votes cast on the
26 proposition is in favor thereof, then the school board may

1 annually levy the tax as authorized until such authority is
2 revoked.

3 (d) Any revenue raised by the tax imposed under this
4 Section, including interest earnings thereon, shall be used
5 only for area vocational education center purposes, including
6 but not limited to the purposes authorized by Section
7 10-22.20a, as well as the construction and maintenance of area
8 vocational center facilities. The district shall distribute
9 the funds for area vocational center education purposes to the
10 area vocational center within 60 days after receipt, provided
11 that, if the receipts exceed the school districts' liabilities
12 to the area vocational center, the district may retain such
13 excess for application to its liability for area vocational
14 center expenses in subsequent periods.

15 (e) If the school board of any district that has levied a
16 tax authorized by this Section withdraws from the joint
17 agreement for area vocational education purposes, that
18 district shall no longer be authorized to levy an annual tax
19 for area vocational education purposes. Any proceeds from the
20 taxes authorized by this Section, including interest earnings
21 thereon that remain in the school district treasury upon
22 withdrawal from the area vocational center and after paying any
23 liabilities owed such area vocational center shall be used to
24 abate taxes in the ensuing tax cycle or cycles.

25 (f) Any tax imposed under this Section is in addition to
26 all other taxes authorized by law to be levied and collected by

1 a school board of any district participating in a joint
2 agreement for an area vocational education center, and shall
3 not be included within any limitation of rate contained in this
4 Code or any other law.

5 (g) Subsection (a) of this Section becomes inoperative at
6 the end of 4 tax years after the effective date of this
7 amendatory Act of the 97th General Assembly; provided that any
8 taxes levied prior to subsection (a) of this Section becoming
9 inoperative shall remain valid until collected as otherwise
10 provided by law.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.